



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** March 7, 2007  
**AGENDA DATE:** March 14, 2007  
**PROJECT ADDRESS:** 1916 Chino Street (MST2005-00566)

**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Jan Hubbell, AICP, Senior Planner  
 Chelsey Swanson, Assistant Planner

### I. PROJECT DESCRIPTION

The project consists of the conversion of three existing units to condominiums; a two-story duplex with two three-bedroom units and a one-story, two-bedroom unit with a detached one-car garage on an 11,250 square foot lot in the R-2 Zone. Parking for the detached unit (Unit A) would be provided with an existing single-car garage and one new uncovered space. Parking for Units B and C are currently provided with a two-car carport and two uncovered spaces. The parking would be reconfigured to include a one-car garage and one uncovered space for each unit. Small additions of 67 square feet would be added to the first floors of Units B and C. The existing carport and an exiting common laundry and storage room would be demolished.

### II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision to create three (3) residential condominium units (SBMC §27.07 and §27.13); and
2. A Condominium Conversion Permit to convert three (3) existing residential units to three (3) condominium units (SBMC §28.88).

### III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



Vicinity Map - 1916 Chino Street

**APPLICATION DEEMED COMPLETE:** February 5, 2007  
**DATE ACTION REQUIRED PER MAP ACT:** April 26, 2007

#### IV. SITE INFORMATION AND PROJECT STATISTICS

##### A. SITE INFORMATION

Applicant:	Susan McLaughlin	Property Owner:	Angelo Salvucci
Parcel Number:	043-122-022	Lot Area:	11,250
General Plan:	Residential, 12 units/ acre	Zoning:	R-2, Two-Family Residential
Existing Use:	Residential	Topography:	level
Adjacent Land Uses:			
North - Residential		East - Residential	
South - Residential		West - Residential	

##### B. PROJECT STATISTICS

	Proposed Living Area (net sq. ft.)	Garage (net sq. ft.)	Storage (cubic ft.)
Unit A	890	220	228
Unit B	1,015	212	237.5
Unit C	1,015	212	237.5

#### V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks	15'	15'	No Change
-Front	6'	0' (garage); 3.5' Unit	8' Units B & C
-Interior	6'	A; 11' Units B, C	No Change
-Rear		15'	
Building Height	30'	12'-1.5" – Unit A 22'-5" Units B & C	No change
Parking	6 spaces	3 covered, 2 uncovered	3 covered, 3 uncovered
Open Yard	1,250 sq. ft.	>1,250 sq. ft.	>1,250 sq. ft.
Private Outdoor Living Space	2-bdrm = 140 sq. ft. 3-bdrm = 160 sq. ft.	Requirements exceeded for all units	Unit A = 1,762 sq. ft. Unit B = 1,427 sq. ft. Unit C = 1,036 sq. ft.
Lot Coverage			
-Building	N/A	2,733 sq. ft. 24.3%	2,853 sq. ft. 25.36%
- Driveway	N/A	3,069 sq. ft. 27.28%	2,557 sq. ft. 22.73%
- Walks	N/A	918 sq. ft. 8.16%	1,407 sq. ft. 12.51%
-Landscaping		4,529 sq. ft. 40.26%	4,432 sq. ft. 39.4%

The proposed project would meet the requirements of the R-2, Two-Family Residential Zone.

## **VI. ISSUES**

### **A. DESIGN REVIEW**

This project was reviewed by the ABR on three separate occasions (meeting minutes are attached as Exhibit D). At the first conceptual review on April 10, 2006, the ABR asked that the applicant restudy the circulation configuration, consider minimizing paving, and potentially locate all access off the access easement located on the property to the north. At the second conceptual review on August 21, 2006, the ABR appreciated the revised parking arrangement, requested further enhancement of the entries to all units and direct access from the sidewalk to Unit A, requested revised approach to enhanced driveway paving, study creating a ribbon driveway for both driveways, upgrade aluminum windows on Unit A, provide further detail on Unit A's storage to better relate to the existing garage, and that the landscape plan is moving in the right direction with the understanding additional landscaping will be added along the driveway for Unit A. At the third conceptual review on October 9, 2006, the ABR continued the project to the Staff Hearing Officer and stated that the Board appreciated the enhanced paving and landscaping, the project addresses all condominium design standards, and suggested that the thickness of the entry trellis be studied between the rear units.

No additional changes have occurred to the project design since the most recent ABR conceptual review.

### **B. PHYSICAL STANDARDS FOR CONDOMINIUM CONVERSIONS**

In addition to the requirements of the zone in which a project is located, physical standards are required for all condominium conversion projects per SBMC §28.88.040. The project would meet the parking standard of six parking spaces by providing three covered spaces and three uncovered spaces. Separate storage areas are provided for each unit, meeting the minimum of at least 200 cubic feet, accessible from the parking spaces. Separate utility meters would be provided for each unit. An existing laundry facility is located within Unit A and new laundry facilities will be added to the first floor for Units B & C in-place of the existing common laundry room proposed for demolition. The project also meets the minimum requirements for density, unit size, and outdoor living space.

### **C. COMPLIANCE WITH THE GENERAL PLAN**

Before a condominium project and a tentative subdivision map can be approved, both must be found consistent with the City's General Plan.

*Land Use Element:* The project is located within the Westside neighborhood, as described in the Land Use Element of the General Plan. This neighborhood is described as primarily for single-family homes. A portion of the neighborhood, located between Highway 101 and San Andres Street, calls for a density of twelve dwelling units per acre, is zoned R-3, and developed with apartments. The project site is located west of

San Andres Street, in an area zoned R-2 with a density of twelve dwelling units per acre, and with some duplex development. Further west, the neighborhood is zoned R-1, for single-family residential development with a density of five units per acre. The Land Use Element describes the proximity of the railroad tracks to dwellings as being historically detrimental and has discouraged development in the Westside neighborhood. The existing density at the project site is approximately 11.6 units per acre, which would not change as a result of the project. The project's proposed use and residential density are consistent with the General Plan.

*Housing Element:* Santa Barbara has very little vacant or available land for new residential development and, therefore, City housing policies support build out of infill housing units in the City's urban areas where individual projects are deemed appropriate and compatible. The condominium conversion would provide for homeowner opportunities in a neighborhood with near proximity to commercial centers.

A goal of the Housing Element is to assist in the production of new housing opportunities, through the public and private sector, which vary sufficiently in type and affordability to meet the needs of all economic and social groups. The proposed project contains relatively modest unit sizes. The proposed residential units would not be restricted to low- or moderate-income households because the historical rental rates of the units do not merit affordability requirements.

#### **D. ENVIRONMENTAL REVIEW**

*Archaeological Resources:* The project site is located within the American Period 1870-1900, and Early 20<sup>th</sup> Century Period 1900-1920, Cultural Resource Sensitivity Zones, as identified in the City's Master Environmental Assessment (MEA). Due to the minor amount of ground disturbance proposed in previously disturbed areas, staff determined that an Archaeological Letter Report would not be required in accordance with the City's MEA. A standard condition of approval has been implemented for the purpose of avoiding impacts to any archaeological resources; in the unlikely event that ground disturbance reveals the presence of cultural artifacts or sites.

*Conclusion:* Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15301, Existing Facilities, for the division of existing multiple-family residences into common interest ownership.

### **VII. FINDINGS**

The Staff Hearing Officer finds the following:

#### **A. THE TENTATIVE MAP (SBMC §27.07.100)**

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the

Municipal Code and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

**B. CONDOMINIUM CONVERSION (SBMC §28.88.120)**

1. All provisions of the Condominium Conversion Ordinance are met and the project will not be detrimental to the health, safety, and general welfare of the community.
2. The proposed conversion is consistent with the General Plan of the City of Santa Barbara and with the density requirement of its Land Use Element.
3. The proposed conversion will conform to the Santa Barbara Municipal Code in effect at the time the application was deemed complete, except as otherwise provided in the Condominium Conversion Ordinance.
4. The overall design (including project amenities) and physical condition of the conversion will result in a project, which is aesthetically attractive, safe, and of quality construction.
5. The units have not been "affordable rental units"; therefore, affordability restrictions do not apply to the project.
6. The Applicant has not engaged in coercive retaliatory action regarding the tenants after the submittal of the first application for City review through the date of approval.
7. The owner notified the tenants about the condominium conversion proposal and informed the tenant of their rights pursuant to SBMC §28.88.
8. The project is exempt from the provisions of Section 28.88.130 because the project consists of fewer than five units.

**Exhibits:**

- A. Conditions of Approval
- B. Reduced Plans
- C. Applicant's letter, dated December 21, 2006
- D. ABR Minutes

## STAFF HEARING OFFICER CONDITIONS OF APPROVAL

1916 CHINO STREET  
TENTATIVE SUBDIVISION MAP & CONDOMINIUM CONVERSION PERMIT  
MARCH 14, 2007

In consideration of the project approval granted by the Staff Hearing Officer and for the benefit of the owners and occupants of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession and enjoyment of the Real Property:

- A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed as to form and content by the City Attorney, Community Development Director and/or Public Works Director, that shall be executed by the owners concurrent with the Parcel Map, and recorded in the Office of the County Recorder, by the City, prior to the issuance of a Certificate of Occupancy for the Condominium Conversion Permit.
1. **Parcel Map.** Parcel Map shall be recorded prior to or concurrently with an "Agreement Relating to Subdivision Conditions Imposed on Real Property". The Parcel Map shall, be prepared by a licensed Land Surveyor or Registered Civil Engineer in conformance with the City Survey Control Ordinance.
  2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
  3. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
  4. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on March 14, 2007 is limited to the conversion of three residential units to condominiums and the improvements shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
  5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall be responsible for maintaining the drainage system, and storm water pollution control devices in a functioning state and in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official, in consultation with the Parks and Recreation Department Creeks Division. Should any of the project's surface or subsurface drainage structures or storm water pollution control devices fail to capture, infiltrate and/or treat, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and

**EXHIBIT A**

for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.

6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:

- a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels.
- b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
- c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
- d. **Trash and Recycling.** A covenant that includes a requirement that adequate space shall be provided and maintained for trash and recycling purposes.
- e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

B. **Building Permit Plan Requirements.** The following requirements shall be incorporated into the construction plans submitted to the Building and Safety Division with applications for building permits. All of these construction requirements shall be carried out in the field and completed prior to the issuance of a Certificate of Occupancy:

1. **Chino Street Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on Chino Street. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: driveway apron modified to meet Title 24 requirements, curbs, gutters, underground service utilities, connection to City water and sewer mains, public drainage improvements with supporting drainage calculations and/or hydrology report for installation of curb drain outlets, slot/trench drain (provide off-site storm water BMP plan), preserve and/or reset survey monuments and contractor stamps, and provide adequate positive drainage from site. Existing private sewer lateral(s) serving the property shall be repaired before new dwellings are occupied. Any existing sewer



laterals identified to be abandoned, shall be disconnected at the sewer mainline connection. A licensed plumber shall verify if the property requires a backwater valve. If existing lateral already has a backwater valve, then it shall be inspected. The building plans, drainage calculations and hydrology report shall be prepared by a registered civil engineer or licensed architect. Any work in the public right of way requires a public works permit.

2. **Drainage Calculations.** The Owner shall submit drainage calculations demonstrating that the new development will not increase runoff amounts above existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event. Any increase in runoff shall be retained on-site.
3. **Trash and Recycling.** Adequate space shall be provided and maintained for trash and recycling purposes. Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
4. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be directed toward the ground.
5. **Design Review Requirements Included on Plans:** Plan submitted for building permits shall show all design elements, as approved by Architectural Board of Review.
6. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the

remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

7. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara as shown below:

New Year's Day	January 1 <sup>st</sup> *
Martin Luther King's Birthday	3 <sup>rd</sup> Monday in January
Presidents' Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup> *
Labor Day	1 <sup>st</sup> Monday in September
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25 <sup>th</sup> *

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work at night, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in SBMC § 9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

8. **Conditions on Plans/Signatures.** The final Staff Hearing Officer Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Parcel Map submitted to Public Works Department for review). A statement shall

also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner	Date
Contractor	Date
Contractor	License No.
Architect	Date
Architect	License No.
Engineer	Date
Engineer	License No.

- C. **Public Works Submittal Prior to Parcel Map Recordation.** Owners shall submit the following or evidence of completion of the following to the Public Works Department prior to the recordation of the Parcel Map.
1. **Certificate of Occupancy for Physical Standards for Condominium Conversions.** Owner shall complete all necessary work in order to comply with the Physical Standards for Condominium Conversions specified in SBMC § 28.88.040 of the Municipal Code and receive a final certification of occupancy for such work.
  2. **Building Permit Required for Conversion.** Evidence that a conversion permit has been issued for the conversion of the four residential units to four condominiums.
  3. **Parcel Map.** Owners shall submit a Parcel Map to the Public Works Department acceptable for recordation. The Parcel Map shall be prepared by a licensed land surveyor or registered civil engineer in conformance with current Subdivision Map Act and in conformance with the requirements of the City Survey Control Ordinance.
  4. **Required Private Covenants.** The Owner shall submit a copy of the recorded private covenants, reciprocal easement agreement, or similar private agreements required for the project.
  5. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water

treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (such as ), or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.

6. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
  7. **Maintenance Agreement Required.** The Owner shall submit an Executed Agreement for Maintenance of the proposed driveway, subject to the review and approval of the Public Works Director and City Attorney.
  8. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. Said agreement will be prepared by Engineering Division Staff for the Owner's signature.
- D. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy for the condominium conversion permit, the Owners of the Real Property shall submit the following or evidence of completion of the following to the Public Works Department:
1. Recordation of Final Map.
  2. Recordation of the Agreement Relating to Subdivision Map Conditions Imposed on Real Property.
  3. Recordation of Private Covenants.
  4. **Repair Damaged Public Improvements.** Repair any damaged public improvements caused by construction (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of the City Arborist.
  5. **Complete Public Improvements.** Public improvements constructed as shown on the building plans.
- E. **Litigation Indemnification Agreement.** In the event the Staff Hearing Officer approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further

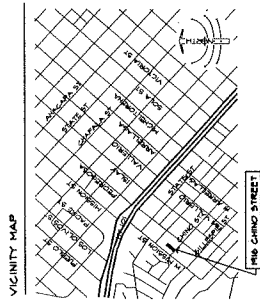
agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses and costs of that independent defense.

**NOTICE OF TENTATIVE SUBDIVISION MAP AND CONDOMINIUM CONVERSION  
TIME LIMITS:**

The Staff Hearing Officer's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110 or the provisions of the California Subdivision Map Act.

NOT FOR CONSTRUCTION



VICINITY MAP

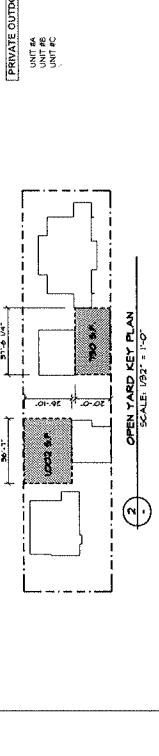
LOT COVERAGE STATISTICS			
EXISTING	PROPOSED		
11,250 S.F.	11,250 S.F.		
100.00%	100.00%		
COVERED PARKING & BLDG. FOOTPRINT			
2,739 S.F.	2,853 S.F.		
24.30%	25.29%		
DRIVEWAY AND UNCOVERED PARKING			
3,069 S.F.	2,483 S.F.		
27.29%	22.05%		
HARDSCAPE (WALKS)			
818 S.F.	1,407 S.F.		
7.28%	12.51%		
LANDSCAPE			
4,529 S.F.	4,487 S.F.		
40.28%	39.87%		

DRAWING INDEX			
DWG#	DESCRIPTION	COUNT	
A.1	VICINITY MAP, SITE PLAN, PROJECT STATISTICS	1	
A.2	UNIT A FLOOR PLAN AND ELEVATION, PROPOSED CARPORT	2	
A.3	UNIT B FLOOR PLAN AND ELEVATION	3	
A.4	UNIT C SECOND FLOOR PLAN	4	
L.1	LANDSCAPE PLAN	5	

SITE AND BUILDING STATISTICS			
EXISTING STRUCTURE:	NET	GROSS	CHANGE
DWELLING UNITS			
GROUND FLOOR UNIT #A	480.07 S.F.	527.02 S.F.	14%
GROUND FLOOR UNIT #B	480.07 S.F.	527.02 S.F.	14%
SECOND FLOOR UNIT #B	480.07 S.F.	527.02 S.F.	14%
SECOND FLOOR UNIT #C	480.07 S.F.	527.02 S.F.	14%
GROUND FLOOR LAUNDRY	480.07 S.F.	527.02 S.F.	14%
COVERED PARKING & STORAGE			
UNIT #A (1 SPACE)	230.12 S.F.	230.12 S.F.	0%
UNIT #B (1 SPACE)	230.12 S.F.	230.12 S.F.	0%
UNIT #C (1 SPACE)	230.12 S.F.	230.12 S.F.	0%
GROUND FLOOR STOR. A	230.12 S.F.	230.12 S.F.	0%
GROUND FLOOR STOR. B	230.12 S.F.	230.12 S.F.	0%
GROUND FLOOR STOR. C	230.12 S.F.	230.12 S.F.	0%
NOT COVERED PARKING			
UNIT #A (1 SPACE)	230.12 S.F.	230.12 S.F.	0%
UNIT #B (1 SPACE)	230.12 S.F.	230.12 S.F.	0%
UNIT #C (1 SPACE)	230.12 S.F.	230.12 S.F.	0%

NOTE: REQUIRED AND PROVIDED: (D) COVERED SPACES, (E) NOT COVERED SPACES

NET OF COVERED AND NOT COVERED SPACES



OPEN YARD KEY PLAN

SCALE: 1/32" = 1'-0"

APN: 43-122-23 NOT PART OF THIS PROJECT

1/32" S.F. (100' x 100') OPEN YARD, 1,250 S.F. REDD

SCALE: 1/32" = 1'-0"

APN: 43-122-23 NOT PART OF THIS PROJECT

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SCALE: 1/32" = 1'-0"

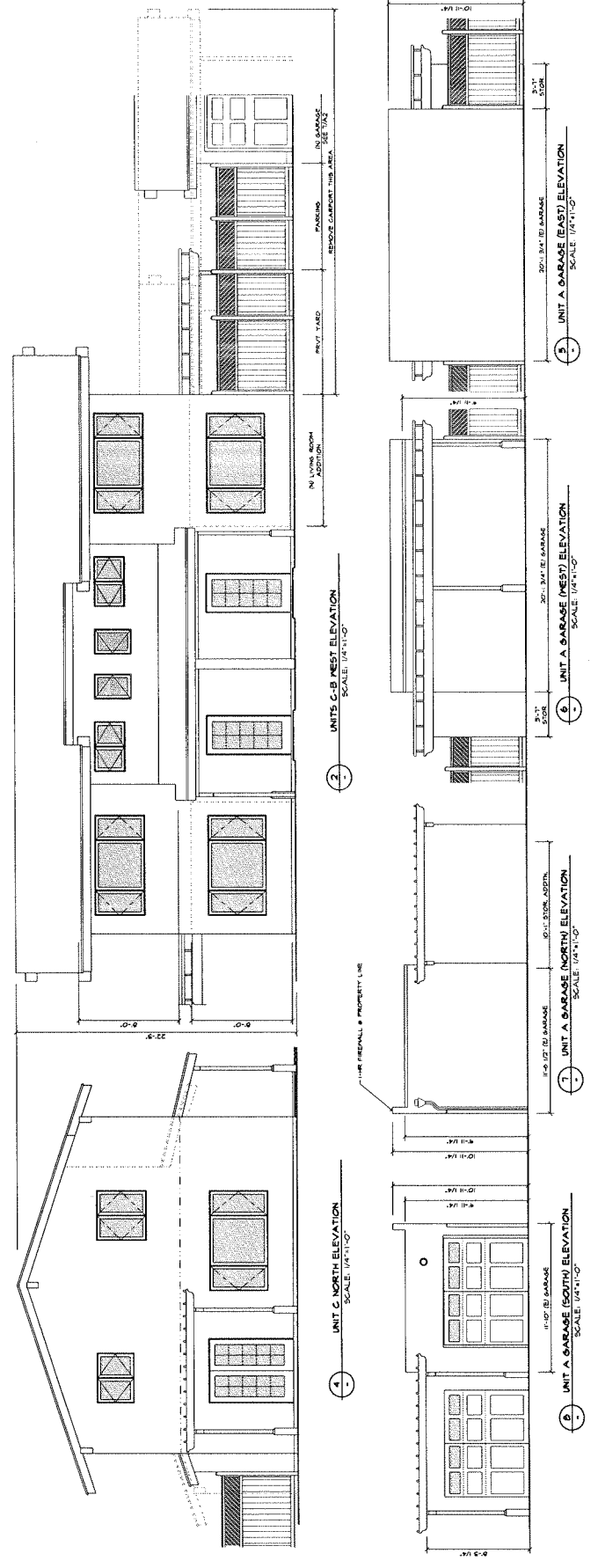
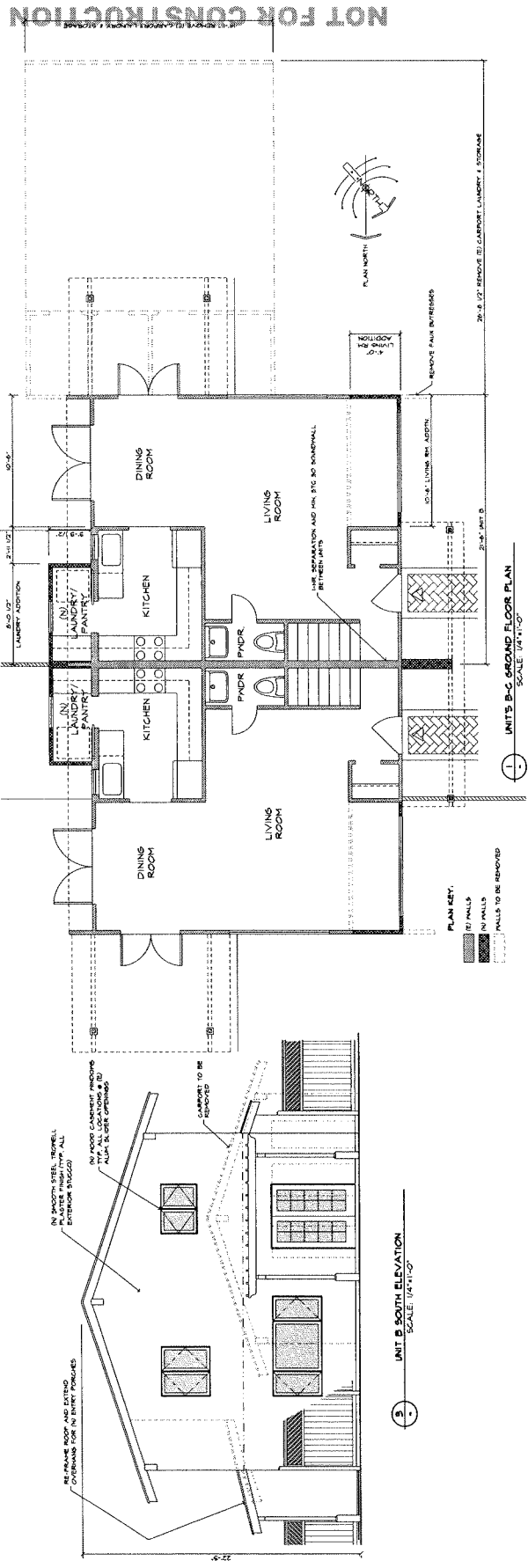
APN: 43-122-23 NOT PART OF THIS PROJECT

1/32" S.F. (100' x 100') OPEN YARD, 1,250 S.F. REDD

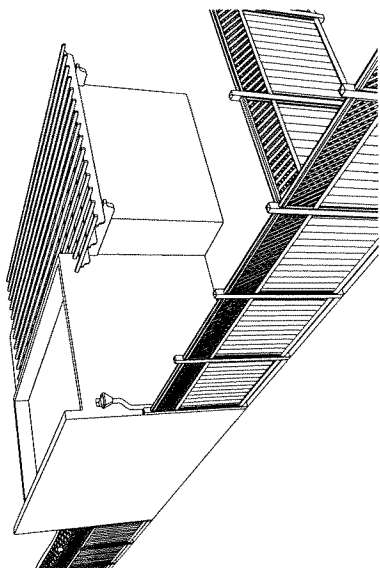
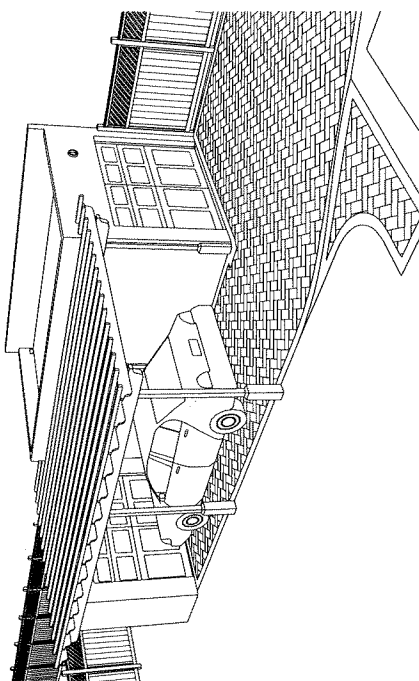
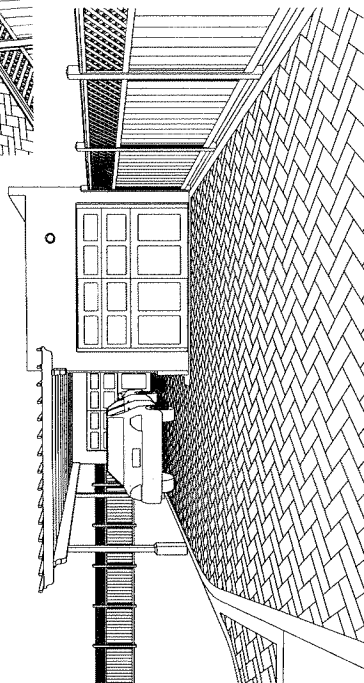
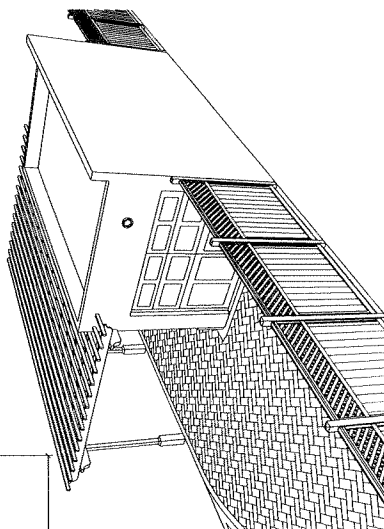
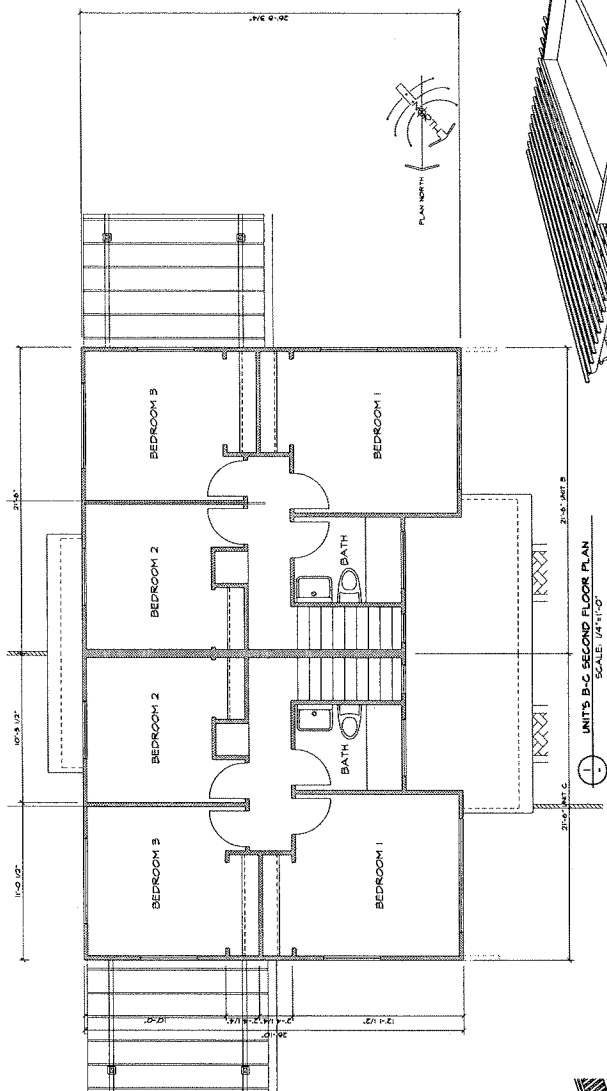
SCALE: 1/32" = 1'-0"

APN: 43-122-23 NOT PART OF THIS PROJECT









S U Z A N N E E L L E D G E  
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

21 December 2006

City Community Development Department  
Staff Hearing Officer  
Planning Division  
630 Garden Street  
Santa Barbara, CA 93101

RECEIVED  
DEC 21 2006  
CITY OF SANTA BARBARA  
PLANNING DIVISION

**RE: Condominium Conversion – 1916 Chino Street**

On behalf of Dr. Angelo Salvucci, property owner of subject property, we are requesting a condominium conversion to convert three existing residential units to condominium units and approval of a tentative map. The information requested by City staff during the initial DART review and the accompanying plans are included in this application package.

**Project Description**

The proposed project consists of a condominium conversion of three existing units located at 1916 Chino Street, APN 043-122-022, in the Westside neighborhood of Santa Barbara. The subject property is zoned R-2 and the lot size is 11,250 square feet. The lot is flat with approximately 0% slope. Due to the recent changes in review of discretionary projects, this project will be subject to review and approval by the Staff Hearing Officer.

The project includes minor additions pursuant to the physical standards for condominium conversions as identified in Chapter 28.88.040. The size of each unit is provided below.

Unit Type	Number of Bedrooms	Existing Size (net area)	Proposed Size (net area)	Number of (E) Parking Spaces	Number of (P) Parking Spaces
A	2	890 sq.ft.	890 sq.ft.	1	2
B	3	950 sq.ft.	1015 sq.ft.	2	2
C	3	950 sq.ft.	1015 sq.ft.	2	2

As shown on the attached plan, the proposed units are configured with the single family residence (Unit A) at the front of the lot and a duplex (Units B,C) at the back of the lot. Unit A is a single story two-bedroom unit, while Units B and C are attached in a two-story duplex with three-bedrooms in each unit. Additional square footage is proposed to meet the storage space requirement per the Condominium Conversion Ordinance of Chapter 28.88 and to bring the covered parking up to current parking standards. Laundry facilities are provided within each unit.

The project proposes to utilize the existing two access drives which are both located off of Chino Street. The eastern 12' driveway serves Unit A. There is an existing pedestrian walkway to Unit A from the existing driveway that we propose to replace to provide direct pedestrian access from

the sidewalk to Unit A. The western 10'6" driveway provides access to Units B and C. We have proposed a new ribbon driveway design to better serve pedestrians accessing the rear units while also accommodating vehicular access. This access is shared with 1920 Chino Street.

Parking is provided in accordance with Chapter 28.90 of the City's Zoning Ordinance with a total of six parking spaces provided on site. Unit A currently has one covered parking space located at the front of the lot with dedicated access off of Chino. We are proposing one additional covered parking space immediately adjacent to the existing one car garage for Unit A. Units B and C currently have a space in the existing two-car carport and an uncovered parking space assigned to each of them. We are proposing to re-configure the parking for Units B and C to provide one new covered parking and one new uncovered parking space for each unit.

The proposed common landscaping and outdoor living space (i.e., decking, patio, and yard space) will cover approximately 42% percent of the site, an increase in approximately 2% from the existing lot coverage due to the removal of existing paving and replacement with landscaping. The private outdoor living space that is proposed exceeds the R-2 zoning requirements for condominiums.

### **ABR Review**

The Architectural Board of Review (ABR) has reviewed this project several times since the initial DART review. The primary focus of the ABR review has been on pedestrian access and parking configuration. In response to ABR comments, we have made positive changes to the site plan that will better accommodate pedestrian travel to the rear units as well as providing direct access from the sidewalk to the front unit. The parking configuration has also been significantly improved by providing a centrally located garage instead of the carport extension that was previously proposed. Per ABR's direction, we have eliminated the walkway that was previously proposed to run the length of the driveway to the rear units due to ABR's concern about the walkway imposing on the privacy of Unit A. A ribbon driveway has been proposed to serve a dual purpose of providing a pedestrian walk to access the rear units on 1916 as well as the units on 1920 Chino, which shares this access easement. ABR also requested additional exterior improvements to the duplex in order to bring them up to condominium status. We have improved the entries to the duplex to give them identifying features. On October 9, 2006 the ABR continued the project indefinitely to the Staff Hearing Officer and their motion stated that the project is ready for preliminary approval (see attached minutes).

### **Physical Standards**

The units are in compliance with the physical standards for Condominiums as described in Section 28.88.040 of the City's Municipal Code and listed below:

1. UNIT SIZE. The enclosed living or habitable area of each unit shall be not less than 600 square feet.

*The smallest unit in the proposed development is 890 square feet.*

2. FIRE PREVENTION.

1. Smoke Detectors. Each living unit shall be provided with approved detectors of products of combustion other than heat conforming to the latest uniform Building Code standards, mounted on the ceiling or wall at

a point centrally located in the corridor or area giving access to rooms used for sleeping purposes.

*All proposed units will be equipped with the required smoke detector devices upon issuance of final occupancy.*

Maintenance of Fire Protection System. All on-site fire hydrants, fire alarm systems, portable fire extinguishers, and other fire protective appliances shall be retained in an operable condition at all times, maintained by the Homeowner's Association and delineated in the Covenants, Conditions and Restrictions.

*The owner proposes to incorporate language into the project CC&R's to address the maintenance of all fire protections systems and devices.*

### 3. SOUND TRANSMISSION.

1. Wall and floor-ceiling assemblies shall conform to Title 25, California Code of Regulations, Section 1092, or its successor, or permanent mechanical equipment, including domestic appliances, which is determined by the Chief of Building and Zoning to be a potential source of vibration or noise, shall be shock mounted, isolated from the floor and ceiling, or otherwise installed in a manner approved by the Chief of Building and Zoning to lessen the transmission of vibration and noise. Floor covering may only be replaced by another floor covering that provides the same or greater insulation. The requirements of this paragraph shall not apply to a unit in a building with no other unit(s).

*The duplex will comply with Title 25 and will obtain a building permit that will verify this.*

### 4. UTILITY METERING.

1. The consumption of gas and electricity within each unit shall be separately metered so that the unit owner can be separately billed for each utility. Each unit shall have its own electrical panel, or access thereto, for all electrical circuits which serve the unit. A gas shut-off valve shall be provided for each unit and for each gas appliance.

*The proposed project has individual metering for all utilities and each unit will have a separate gas shut off valve and one for each appliance.*

2. Each dwelling unit shall be served by a separate City water meter. An additional separate City meter shall be provided to serve the landscaped areas in projects that include five or more dwelling units.

*One additional water meter will be provided to comply with this requirement.*

3. All plumbing fixtures shall conform to the standards for water saving devices as contained in the Uniform Plumbing Code as adopted and amended by the City of Santa Barbara in Chapter 22.04 of this Code.

*The project will comply with all requirements of the Uniform Plumbing Code upon final occupancy.*

4. An exception to any requirement of this subsection may be granted by the Planning Commission if each of the following requirements are met:
  - a. A licensed engineer has determined that compliance with the requirement cannot practically be accomplished and the applicant has included alternative measures to accomplish conservation equivalent to that which would be expected through compliance with the requirement;
  - b. The Public Works Director has reviewed the proposed exception and the proposed alternative measures and has concurred that equivalent conservation is likely to be accomplished as a result thereof. Measures proposed as alternatives to the water conservation requirements of this subsection may include, but are not limited to, installation of privately owned sub-meters on each dwelling unit, conversion of existing landscaped areas to conform with current standards for water conserving landscaping, and installation of additional separate City meters to serve groups of dwelling units.

*These requirements are not applicable as the project complies with all of the provisions of this section.*

5. PRIVATE STORAGE SPACE. Each unit shall have at least 200 cubic feet of enclosed weatherproofed and lockable private storage space, in addition to guest, linen, pantry, and clothes closets customarily provided. Such space shall be for the sole use of the unit owner. Such space shall be accessible from the garage or parking area for the units it serves.

*Each unit provides in excess of 200 cubic feet of enclosed storage space. Please refer to Sheet A-1 of the enclosed plans.*

6. LAUNDRY FACILITIES. A laundry area shall be provided in each unit; or if common laundry areas are provided, such facilities shall consist of not less than one automatic washer and dryer for each five units or fraction thereof.

*Each unit provides their own laundry facilities. See floor plans on sheets A2-3 of the enclosed plans.*

7. CONDITION OF EQUIPMENT AND APPLIANCES. The applicant shall provide written certification to the buyer of each unit on the initial sale after conversion that any dishwashers, garbage disposals, stoves, refrigerators, hot water tanks, and air-conditioners that are provided are in working condition as of the close of escrow. At such time as the Homeowner's Association takes over management of the development, the applicant shall provide written certification to the Association that any pool and pool equipment and any appliances and mechanical equipment to be owned in common by the Association is in working condition.

*These steps will be taken upon sale of the units. The owner will accept this requirement as a part of the conditions of approval.*

8. EASEMENTS. The applicant shall make provisions for the dedication of land or easements for street widening, public access or other public purpose in connection with the project where necessary and in accordance with established planned improvements.

*This provision is inapplicable at this time as City staff has not requested any dedications or easements to be recorded as a condition of approval for the project.*

9. REFURBISHING AND RESTORATION. All main buildings, structures, fences, patio enclosures, carports, accessory buildings, sidewalks, driveways, landscaped areas, irrigation systems, and additional elements as required by the Planning Commission shall be refurbished and restored as necessary to achieve high quality appearance and safety.

*It is our understanding that these physical improvements will result from ABR and Staff Hearing Officer reviews. We have made improvements per the ABR comments in order to achieve a high quality appearance.*

10. PARKING STANDARDS. The off-street parking requirements for a conversion project shall be one and one-half (1½) parking spaces per unit for one bedroom or efficiency units and two (2) parking spaces per unit for units containing two or more bedrooms.

*The project meets the required parking standards by providing two covered and two uncovered parking spaces per each unit.*

11. PHYSICAL ELEMENTS. Any physical element identified in the Physical Elements Report as having a useful life of less than two (2) years shall be replaced.

*A physical elements report for each unit has been prepared and submitted to City staff. We will replace anything that has less than two years of useful life left.*

12. OUTDOOR LIVING SPACE. Outdoor living space for a conversion project shall be provided as required in MC §28.21.081.

*All provisions for outdoor living space have been met. The project complies with both the R-2 and the R-3/R-4 requirements for private outdoor living space.*

13. HANDICAPPED ACCESSIBILITY AND ADAPTABILITY. All conversions involving five or more units shall meet the accessibility and adaptability requirements of the State Housing and Community Development Commission.

*This provision does not apply to the project because only three units are proposed.*

Pursuant to SBMC 28.88.90B1-6 the following information has been provided:

- 1) Square footage and number of rooms in each existing and proposed unit or guest room: See table above.
- 2) Rental rate history for each type of unit for previous five (5) years:

Unit A:	4/2001-3/2003	\$1625
	4/2002-10/2004	\$1725
	10/2004-11/2005	\$1835
	12/2005-present	\$1885
Unit B:	1/2001-10/2001	\$1500

- |         |                 |        |
|---------|-----------------|--------|
|         | 11/2001-8-2002  | \$1575 |
|         | 9/2002- 8/2003  | \$1680 |
|         | 9/2003- 6/2004  | \$1800 |
|         | 7/2004-8/2005   | \$1825 |
|         | 9/2005- present | \$1895 |
| Unit C: | 6/2001-7/2002   | \$1580 |
|         | 8/2002-6/2003   | \$1680 |
|         | 7/2003-6/2004   | \$1800 |
|         | 7/2004-9/2005   | \$1825 |
|         | 10/2005-11/2005 | \$1795 |
|         | 12/2005-present | \$1845 |
- 3) Monthly vacancy rate for each month during preceding two (2) years:  
There have not been any vacancies for the past two years in any of the units.
- 4) Make up of existing tenant households, including family size, length of residence, age of tenants, and whether receiving federal or state subsidies:  
Unit A: Two adults, tenants since 10/2004, ages 34 and 29; no subsidies  
Unit B: Three adults, tenants since 9/2005, ages 25, 22 and 20; no subsidies  
Unit C: Three adults, tenants since 10/2005, ages 22, 21 and 20; no subsidies
- 5) Name and addresses of all tenants:  
Unit A: Marianne and Jordan Clark  
1916 Chino Street  
Santa Barbara, CA 93101  
Unit B: Natalie Ramos  
Sophie Ramos  
Nicole Thompson  
1920 'C' Chino Street  
Santa Barbara, CA 93101  
Unit C: Jake Wiens  
Derek Hogue  
Jason Rotondo  
1920 'D' Chino Street  
Santa Barbara, CA 93101

The DART letter also requested information pursuant to SBMC 28.88.050.B1, which requires that a physical elements report be provided, including a structural pest control report and a building history report. The physical elements reports were included in the first DART application with the exception of the report for the duplex which was submitted near the end of the DART review; we did not receive City comments on the duplex report.

The structural pest control reports, prepared by Lenz Pest Control are attached for your review pursuant to SBMC28.88.050.B2. The building history, as requested in SBMC 28.88.050B3a is as follows (information taken from street file for the property):

- 1) The front house and garage were built with permit in 1926.
- 2) There was an expansion to the front house in 1935, also done with permit.
- 3) The front house was re-roofed in 1938.
- 4) The living room of the front house was enlarged with permit in 1952.
- 5) The rear duplex was built in 1973 with permits.

- 6) There was an electrical service upgrade in 1966 with permit and new sub-panels were provided.
- 7) There was a re-roof of front house done in 1996 with permit.
- 8) A new FAU heater was placed under the floor of front unit in 2003 with permit.
- 9) A new main sewer line was put in place with permit in 2004.

In response to SBMC 28.88.050.B3b, the buildings have been used for residential housing since their construction.

The date and description of each major repair or renovation, as required per SBMC 28.88.050B3c, is included in the list above and the statement regarding current ownership of all improvements as requested in 28.88.050B3d is:

Angelo and Nancy Salvucci  
1679 Francheschi Road  
Santa Barbara, CA 93103

### **Findings**

In addition to the physical standards required by the Condominium Conversion Ordinance specific findings must be made before the Planning Commission can approve the conversion. The findings are listed below along with a discussion of how the proposed project meets each finding.

1. All provisions of the Chapter are met and the project will not be detrimental to the health, safety, and general welfare of the community.

***The project is in full compliance with the provisions of the R-2 Zone and the General Plan.***

2. The proposed conversion is consistent with the General Plan of the City of Santa Barbara or legally nonconforming with the density requirement of its Land Use Element.

***As stated above the property is conforming to the residential density allowed.***

***No policy conflicts with the applicable General Plan Elements could be found.***

3. The proposed conversion will conform to the Santa Barbara Municipal Code in effect at the time the application was deemed to be complete, except as otherwise provided in this Chapter.

***The existing development consists of two legally non conforming structures: Unit A is currently located in the western interior yard setback and the single car garage for Unit A is currently located within the eastern interior yard setback. The provisions required per code for Condominium Conversions will be met with this project. The minor additions for the storage rooms will be in conformance with the Municipal Code.***

4. The overall design (including project amenities) and physical condition of the conversion will result in a project which is aesthetically attractive, safe and of quality construction.



***The project requires review and approval by the Architectural Board of Review (ABR) and any changes required by the Board would be incorporated into the project.***

5. If required by Subsection 28.88.110 A above, the proposed conversion has mitigated impacts to the City's low and moderate income housing supply through an agreement to record affordability control covenants on the specified number of units.

***Section 28.88.110 A does not apply to the project because none of the units are "affordable rental units".***

6. The applicant has not engaged in coercive retaliatory action regarding the tenants after the submittal of the first application for City review through the date of approval.

***The applicant has not engaged in coercive retaliatory action regarding the tenants after the submittal of the first application for City review through the date of approval.***

7. The owner has made a reasonable effort to assist those tenants wishing to purchase their units for purposes of minimizing the direct effect on the rental housing market created by relocating such tenants.

***The tenants have been notified in accordance with the City Ordinance. They will have the first option to purchase the units before the units go on the market.***

8. The requirements of Section 28.88.130 have been met.

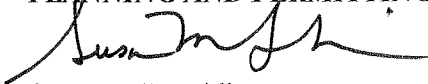
***The requirements of Section 28.88.130 are not applicable because the project consists of less than four units (per Section 28.8.130.C.1.a).***

We are pleased to submit this proposal for your consideration and are confident that the project is consistent with the language and intent of the condominium conversion provisions. We therefore request that the Staff Hearing Officer make the required findings and approve the condominium conversion. Thank you for your review and please call me at 966-2758x24 should you require any additional information.

Sincerely,

**SUZANNE ELLEDGE**

**PLANNING AND PERMITTING SERVICES**



Susan McLaughlin  
Associate Planner

cc: Mr. Angelo Salvucci  
Mr. Don Elconin

**CONCEPT REVIEW - CONTINUED ITEM****4. 1916 CHINO ST**

R-2 Zone

Assessor's Parcel Number: 043-122-022  
Application Number: MST2005-00566  
Owner: Angelo Salvucci  
Applicant: Susan McLaughlin  
Architect: David Winitzky  
Agent: Don Elconin

(Proposal for a condominium conversion of a one-story, 890 square foot, single-family residence and a two-story duplex with two 1,015 square foot units. The existing two-car carport will be demolished and a new two-car garage and an additional storage area will be constructed. The project will have three covered and three uncovered parking spaces, new pedestrian walkways, and additional hardscape for uncovered parking spaces.)

**(Second Concept Review.)**

**(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND STAFF HEARING OFFICER APPROVAL FOR A TENTATIVE SUBDIVISION MAP FOR A CONDOMINIUM CONVERSION.)**

(6:29)

Present: Susan McLaughlin, Applicant; Michael Shubach, Architect; Bob Cunningham, Landscape Architect.

Motion: Continued indefinitely to the Full Board with the following comments: 1) The Board appreciates the revised parking and circulation arrangement of the new site plan. 2) The additions to the rear units are minor in nature; however, the amount of upgrades, particularly to the rear building, have fallen short of what would be expected in a condo conversion to a building of this age. 3) Provide further enhancement of the entry experience to all units. Unit A should have direct access to the public sidewalk. 4) Provide a revised approach to the enhanced paving patterns on the adjacent driveway easement and the shared use parking with the neighbor to the north. The current geometry of stamped concrete versus the existing asphalt and existing concrete appears to be unresolved. 6) Study creating a paving and ribbon driveway experience for the length of the shared driveway. The paving experience in the motor court is to be more cohesive geometrically, and extend that paving experience to the entries of the rear units. 7) Reinstate a ribbon driveway in the existing driveway for Unit A. 8) Upgrade the aluminum windows of Unit A, especially on the street façade, to be in keeping with the original wood windows of that design vernacular. 9) Provide further detail on the storage unit for Unit A, to better relate to the existing garage of which it abuts. 10) The conceptual landscape plan appears to be moving in the right direction with the understanding that additional landscape will be added along the existing driveway of Unit A.

Action: Manson-Hing/Mudge, 8/0/0.

**CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING****9. 1916 CHINO ST**

R-2 Zone

Assessor's Parcel Number: 043-122-022  
Application Number: MST2005-00566  
Owner: Angelo Salvucci  
Applicant: Susan McLaughlin  
Architect: David Winitzky  
Agent: Don Elconin

(Proposal for condominium conversion of a one-story, 890 square foot, single-family residence and a two-story duplex with two 949 square foot units. The existing two-car carport will be demolished and a new two-car carport and an additional storage area will be constructed. The project will have three covered and three uncovered parking spaces, new pedestrian walkways, and additional hardscape for uncovered parking spaces.)

**(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND STAFF HEARING OFFICER APPROVAL FOR A TENTATIVE SUBDIVISION MAP FOR A CONDOMINIUM CONVERSION.)**

(8:16)

Susan McLaughlin, representing the applicant; David Winitzky & Michael Schubach, Architects; and Don Elconin, Agent, present.

Public comment opened at 8:27 p.m. and, as no one wished to speak, closed at 8:28 p.m.

Motion: Continued three weeks to the Full Board with the following comment for the applicant to restudy the circulation and consider reconfiguring the parking to minimize on-site paving and to take advantage of the paved easement on the neighbor's property.

Action: Mudge/Mosel, 4/0/0 (Romano stepped down).